

May 17, 2007

Meeting Notes- Land Use Committee

1. Committee members present: Jennifer Gerber, Chuck Roady, Kerry Finley, Tuner Askew, Myrt Webb.
2. Opening Comments – none
3. There were no changes to the agenda
4. GIS use: Tom Reynolds, County GIS manager attended the meeting to discuss the kind of information his department could provide the committee. After input from the committee Tom agreed to provide a map in .pdf format that had the following layers:
  - Roads as a base map
  - Constraints based on the planning dept constraint map
  - Fire risk
  - Groundwater base on the best available data
  - Septic locations as individual dots
  - Parks
  - Public lands
  - Wells
  - Zoning
  - Flood plains

The committee will use a laptop and projector to view the maps at the 31 May meeting.

5. Property Rights: Jon Smith of the county attorney's office led a discussion of property right law in MT. Important points of discussion were:
  - Property rights have a long history and have changed over time
  - While government has the power to regulate the use of private property, regulation that prohibits all reasonable use can be considered a taking.
  - A variance procedure allows for flexibility when the land use regulation should not be applied due to hardship or a specific characteristic of the property.

The committee had several photos of property use and development along US2 between Kalispell and Columbia Falls. Discussion centered on what was reasonable and unreasonable development as shown in the photos.

6. Public Comment: one member of the public commented that the committee should consider health issues such as the availability of public sewer systems, use of package plant treatment systems and more advanced septic systems.
7. The next meeting is 31 May.